



Entered on Docket
August 06, 2010

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

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Deutsche Bank National Trust Company, as Trustee under Pooling and Servicing Agreement dated as of August 1, 2004 Morgan Stanley ABS Capital I Inc. Trust 2004-HE7 Mortgage Pass-Through Certificates, Series 2004-HE7
09-77972

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEVADA**

In Re:

Aaron J. Finney

Debtors.

08-20667-lbr

Motion no.
Date:
Time:

Chapter 13

ORDER VACATING AUTOMATIC STAY

Pursuant to the Declaration re Breach of Condition filed on July 14, 2010 and Debtors failure to

1 cure the default prior to its expiration, and good cause appearing.

2 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the
3 above-entitled bankruptcy proceeding is immediately vacated and extinguished for all purposes as to
4 Secured Creditor, Deutsche Bank National Trust Company, as Trustee under Pooling and Servicing
5 Agreement dated as of August 1, 2004 Morgan Stanley ABS Capital I Inc. Trust 2004-HE7 Mortgage
6 Pass-Through Certificates, Series 2004-HE7 its assignees and/or successors in interest, and Secured
7 Creditor may proceed with a foreclosure of and hold a Trustee's Sale of the subject property, generally
8 described as 1713 Goodrich Cir. , Las Vegas NV and legally described as follows:

9 LOT FORTY-SIX (46) IN BLOCK ONE (1) OF PARK VISTA UNIT No.2, AS SHOWN BY
10 MAP THEREOF ON FILE IN BOOK 27 OF PLATS, PAGE 91, IN THE OFFICE OF THE
11 COUNTY RECORDER OF CLARK COUNTY, NEVADA.

12 pursuant to applicable State Laws, and thereafter commence any action necessary to
13 obtain complete possession of the subject property.


14 **IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall**
15 **give Debtors at least seven business days' notice of the time, place and date of sale.**

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby
17 withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee
18 of the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its
19 secured Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the
20 foreclosure sale.

21 Submitted by:

22 Wilde & Associates

23
24 By

 #10235
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